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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|--|-------------|-----------------------|---------------------|------------------|
| 09/801,869 | 03/09/2001 | Gert-Jan Van Lieshout | 2380-218 | 6745 |
| 7590 | 05/24/2004 | | EXAMINER | |
| NIXON & VANDERHYE P.C. | | | IQBAL, KHAWAR | |
| 8th Floor 1100 North Glebe Road Arlington, VA 22201-4714 | | | ART UNIT | PAPER NUMBER |
| | | | 2686 | 8 |

DATE MAILED: 05/24/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

| | | |
|------------------------------|-----------------|---------------------|
| Office Action Summary | Application No. | Applicant(s) |
| | 09/801,869 | VAN LIESHOUT ET AL. |
| | Examiner | Art Unit |
| | Khawar Iqbal | 2686 |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) Responsive to communication(s) filed on _____.
 2a) This action is FINAL. 2b) This action is non-final.
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) Claim(s) ____ is/are pending in the application.
 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
 5) Claim(s) ____ is/are allowed.
 6) Claim(s) 1-8 and 10-42 is/are rejected.
 7) Claim(s) ____ is/are objected to.
 8) Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

9) The specification is objected to by the Examiner.
 10) The drawing(s) filed on ____ is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) Notice of References Cited (PTO-892)
 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
 Paper No(s)/Mail Date _____.
 4) Interview Summary (PTO-413)
 Paper No(s)/Mail Date _____.
 5) Notice of Informal Patent Application (PTO-152)
 6) Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-3,10-17,24-26,30-35,39-42 are rejected under 35 U.S.C. 102(e) as being unpatentable by Willars (6507567).

3. Regarding claim 1 Willars teaches in a radio access network (RAN) where information may be sent to a mobile radio unit using a dedicated radio channel dedicated or a mobile radio unite during communication or using a shared radio channel shared by other mobile radio units during the communication, a method comprising (figs 1-9, col. 5, lines 40-65):

establishing between a first RAN node corresponding to a controlling radio network controller (26) and a second RAN node corresponding to base station (28) a first transport bearer (common or shared channel) to transport data to be transmitted on the shared radio channel (col. 8, lines 40-57), and

establishing between the CRNC (26) and BS (28) a second transport bearer (dedicate channel) to transport control information originated in the (CRNC) relating to

the first transport bearer (common or shared channel) data (col. 8, lines 40-57, col. 10, lines 10-35).

As to claim 24 it is considered the claim is rejected for the same reason as set forth in claim 1.

As to claim 39 it is considered the claim is rejected for the same reason as set forth in claim 1.

Regarding claims 15,32-35 Willars teaches a radio access network, comprising (figs 1-9, col. 5, lines 40-65):

a serving radio network controller (26) for initially establishing a connection with a mobile radio unit (30) over a radio interface (col.4, lines 37-56, col. 5, lines 40-65);

a drift radio network controller (26, fig. 3) for providing resources to the SRNC to support the connection (col. 4, lines 37-56, col. 5, lines 40-65); and

a base station (28) associated with the DRNC (26) for conveying user data connection information to the mobile unit (30) over a shared radio (common channel) channel shared by other mobile radio units during communication with the mobile radio unit (col. 8, lines 40-57), wherein the DRNC (26) is configured to establish a first transport bearer (common channel, fig. 3) to transport the connection information from the DRNC (fig.3, 26) to the base station (28) on the shared radio channel and a second transport bearer (dedicate channel) to transport control information related to the connection information from DRNC (26) to the base station (28) (col. 10, lines 10-35).

Regarding claims 2,16,25,40 Willars teaches the CRNC transmitting the control information over the second transport bearer to the BS (col. 8, lines 40-65).

Regarding claims 3,17,26,42 Willars teaches wherein the control information includes scheduling information (col. 10, lines 10-49).

Regarding claims 10,41 Willars teaches establishing a third transport bearer (between serving RNC and supporting RNC) to carry dedicated radio channel data and dedicated radio channel control information through the RAN for transmission to the mobile radio unit on the dedicated radio channel (col. 4, lines 40-55).

Regarding claim 11 Willars teaches wherein the dedicated radio channel carries the dedicated control information and the control information originated at the CRNC to the mobile radio unit (col. 9, lines 42-60).

Regarding claims 12,30 Willars teaches the SRNC providing data to be transmitted to one or more mobile radio units to the DRNC over the third transport bearer (col. 4, lines 37-56).

Regarding claims 13,14,31 Willars teaches wherein the third transport bearer is established between the SRNC and the DRNC and between the DRNC and the BS (col. 4, lines 37-56).

Claims 20-23 are rejected under 35 U.S.C. 102(e) as being unpatentable by Jamal et al (6724813).

Regarding claim 20 Jamal et al teaches a computer-generated data signal embodied in an electrical signal transported on a radio access network (RAN) transport bearer established between a first RAN node corresponding to a drift radio network controller and a second RAN node corresponding to a base station, comprising (figs. 1-7):

a frame number field including a specific frame number corresponding to a frame on a radio channel (col. 6, lines 12-14), and a transport format field including information relating to a particular radio channel resource useable by a mobile radio unit to receive information directed to the mobile radio unit (col. 7, lines 20-53, col. 8, lines 9-24).

Regarding claim 21-23 Jamal et al teaches wherein the transport format field includes information that may be used to address a transport format table stored in the mobile radio unit (col. 7, lines 49-53, col. 7, line 65-col. 8, line 6).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 4-7,8,18,19,27,28,29,36-38 are rejected under 35 U.S.C. 103(a) as being unpatentable over Willars (6507567) as and further in view of Jamal et al (6724813).

Regarding claims 5,6,8,29,36 Willars dose not specifically teaches wherein the needed information includes one or more of the following: a frame identifier, a radio channel identifier, and an indication of how different radio channels are multiplexed on the identified frame. In an analogous art, Jamal et al teaches wherein the needed information includes one or more of the following: a frame identifier, a radio channel identifier, and an indication of how different radio channels are multiplexed on the

identified frame (col. 7, lines 20-53, col. 8, lines 9-24). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the device of Willars by specifically adding feature a frame identifier, and lookup table stored in the mobile radio unit in order to enhance system performance for the purpose of increasing more transport channel accuracy as taught by Jamal et al.

Regarding claims 4,7,18,19,27,28,37,38 Willars dose not specifically teaches wherein the control information indicates information needed by the mobile radio unit to decode the data transmitted over the shared radio channel. In an analogous art, Jamal et al teaches wherein the control information indicates information needed by the mobile radio unit to decode the data transmitted over the shared radio channel (col. 7, lines 35-44). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the device of Willars by specifically adding the feature the control information that indicates information needed by the mobile radio unit to decode the data transmitted over the shared radio channel in order to enhance system performance of the system, for the purpose of increasing channel accuracy using established procedures as taught by Jamal et al.

Response to Arguments

6. Applicant's arguments with respect to claims 1-8,10-42 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to KHAWAR IQBAL whose telephone number is 703-306-3015.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **BANKS-HAROLD, MARSHA**, can be reached at 703-305-4379.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
Washington, D.C. 20231

or faxed to:

Art Unit: 2686

(703) 872-9314 (for Technology Center 2684 only)

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.

Khawar Iqbal



CHARLES APPIAH
PRIMARY EXAMINER